IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8999 of 2005

Between:

1 Munagala Prem Kumar, S/o.M.Narayan Rao,
R/o.5/1 Sri Sai Enterprises, Champapet X Road, RR Dist.
2 E.Srinivas Reddy, S/o.Late E.Venkat Reddy,
R/o.9-9-6/1 Reddy Colony, Champapet,
Hyderabad.
3 K.Thirupathi Reddy, S/o.Venkat Reddy,
R/o.Chandrayanpally Vill, Madgul Manal, Mahabubnagar.

..... PETITIONERS

AND

1 The State of A.P. Rep. by its Spl.Chief Secretary to the

Government (Revenue) Department, Secretariat,
Hyderabad.
2 The District Registrar, RR District, Khairatabad, Hyderabad.
3 The District Registrar, Stamps & Registration Ranga Reddy

District.
4 The Sub Registrar, Champapet, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring that the action of the respondent NO. 4 in not registering and releasing the petitioner's sale deeds as bad, arbitrary, illegal, discriminatory, violative of principles of natural justice and contrary to G.O.Ms. No.807(revenue) Registration I Department dated 13-10-2004 by setting aside the Refusal orders No. 676 dt 29-9-2003, 628 dt.16-8-2003, 458 dt. 5/8/2003 of the petitioners 1 to 3

respectively and consequently direct the respondent No.4 to release the sale deed of the petitioner after due registration of their plots.

Counsel for the Petitioner:MR.P.VENKATESWAR RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

Petitioners state that they have purchased the plots bearing Nos.59 admeasuring 333 square yards, 341, admeasuring 300 square yards and 66 admeasuring 266 square yards in S.No.59 situated at Kharmanghat village, Saroornagar Revenue Mandal, Ranga Reddy District, respectively, through separate sale deeds. When the said documents were presented before the fourth respondent for registration, he has refused to register the same on the ground that the first respondent issued G.O.Ms.No.751 dated 12.12.2001, wherein it was declared that the registration of the documents of immovable properties in S.Nos.57 to 60 of Karmanghat village is opposed to public policy and thus, all the Sub-registrars were directed not to register any sale deeds in respect of the lands in the above survey numbers. Accordingly, he passed a refusal order dated 17.07.2004. Subsequently, the first respondent issued G.O.Ms.No.807 dated 13.10.2004 in exercise of powers conferred under Sub-Section (1) of Section 22-A of the Registration Act, 1908 denotifying the notification issued in G.O.Ms.No.751 dated 12.12.2001 in respect of the lands in S.Nos.57 to 60 of Karmanghat village.

In the circumstances, the petitioners contend that the objections raised by the fourth respondent based on G.O.Ms.No.751 dated 12.12.2001 do not exist and therefore, they approached the fourth respondent with a request to register the documents in question and to release them. However, the fourth respondent refused to entertain the same. Hence this writ petition.

It is brought to my notice that an identical issue has been considered by this Court in W.P.No.8705 of 2002 and batch, and the writ petitions were disposed of by common order dated 15.12.2004, directing the respondents to release the documents presented by the petitioners therein after due registration. The learned counsel for both the parties submitted that the decision rendered in W.P.No.8705 of 2002 squarely applies to the case on hand.

Accordingly, this writ petition is disposed of with a direction to the respondents to receive the documents presented by the petitioners and to register the same without raising any objection based on G.O.Ms.No.751 dated 12.12.2001. However, it is made clear that in case the Registering Authority finds any other objection, it is open to him to raise such objection, but the same shall be communicated to the petitioners within a period of four weeks from the date of receipt of this order. No costs.

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21.04.2005

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To

1 The Chief Secretary, State of A.P., Government (Revenue)

Department, Secretariat, Hyderabad.
2 The District Registrar, RR District, Khairatabad, Hyderabad.
3 The District Registrar, Stamps & Registration Ranga Reddy

District.
4 The Sub Registrar, Champapet, Hyderabad.

5 2 CCs to the G.P for Revenue, High Court Buildings,

Hyderabad. (OUT)

6 2 CD copies.